



CITY OF ESPAÑOLA POLICE DEPARTMENT

Allegation / Inquiry Report

☐ Compliment ☒ Complaint ☐ Inquiry

(PD) Administration ☐ (PD) Operations ☐ (PD) Dispatch ☐ (PD) Detention ☐ (PD) Animal Shelter ☐

Date/Time Reported: 3:35pm 9/ How Received: ☐ Telephone ☒ In Person ☐ Other

Name: Yvette M Serrano Address: PO Box 322

City/State/Zip: Española NM 87532 Home Phone: 505) 423-4746 Work Phone:

Date of Incident: 9/5/16 Time of Incident: 8:36pm or 9:00 Assignment: no one just

Location of Incident: by Dairy Queen put a officer asked me if I was OK and then

Name of employee(s) Involved: consumer dist I was out of work
for 5 days

1. Details of complaint as stated by the complainant (Attach additional sheets of paper if needed).

The officer that took the report had my accident
on snap chat before I even got a police report.

2. Interviewer's Remarks (Attach additional sheets of paper if needed).

OFFICER "CODY" MARTINEZ IS OFFICER

Witnesses: (Employee or Citizen)

Name: Yvette M Serrano Address: PO Box 322 Española NM Home Ph: 505) 423-4746 Work Ph:

Name: Address: Home Ph: Work Ph:

How would you like this Complaint resolved? That this never happen again not right.

Signature: Yvette M Serrano Date: 9/13/16

Taken By: Forwarded To: Assigned To: Due Date:

Chief's review/Date: Findings:

Date complainant was notified of results: ☐ Telephone ☐ In Person ☐ Mail ☐ Other:

Notes:

TITLE: SOCIAL MEDIA POLICY**CODIFIED: 102.1****EFFECTIVE: 8/25/15****PAGES: 4****PURPOSE**

To establish the department's position on the utility, management, administration, and oversight of social media. This policy is not meant to address one particular form of social media, rather social media in general, to allow for new tools and future technologies.

POLICY AND PROCEDURE

Social media provides a new and potentially valuable means of assisting the department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The department also recognizes the role that these tools play in the personal lives of some department personnel. The personal use of social media can have a bearing on department personnel in their official capacities. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by department personnel.

DEFINITION:

Blog: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log."

Page: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights.

Post: Content an individual shares on a social media site or the act of publishing content on a site.

Profile: Information that a user provides about himself or herself on a social networking site.

Social Media: A category of Internet-based resources that integrate user generated content and user participation. This includes, but is not limited to, social network sites, micro-blogging sites, photo and video sharing sites, wikis, blogs, and news sites.

Social Networks: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

Speech: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, video, or related forms of communication.

Web 2.0: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.

Wiki: Web page(s) that can be edited collaboratively.

RULES:**FREE SPEECH**

- A. As public employees, department personnel are cautioned that speech, on or off-duty, made pursuant to their official duties is not protected under the First Amendment and may form the basis for discipline if deemed detrimental to the department. Department personnel should assume their speech and related activity on social media sites reflect upon their office and this department. Engaging in prohibited speech noted herein may provide grounds for undermining or

impeaching an officer's testimony in criminal or civil proceedings. Department personnel are subject to discipline up to and including termination for violations of these provisions.

B. When using social media, department personnel should be mindful that their speech becomes part of the worldwide electronic domain. The personal use of social media, in particular, department personnel, is prohibited from the following:

1. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any other protected class of individuals.
2. Speech involving themselves or other department personnel reflecting behavior that would reasonably be considered reckless or irresponsible.
3. Speech which could bring the department into disrepute or which impairs the mission of the department and/or the ability of department personnel to perform their duties.

SOCIAL NETWORKS AND OTHER WEB SITES:

A. Employees who have personal web pages, memberships with social networking web sites or other types of internet postings, which can be accessed by the public, shall not identify themselves directly or indirectly as an employee of the Espanola Police Department and engage in any type of speech, expression, or communication as

prohibited in this portion of this policy

B. Photographs or other depictions of department uniforms, badges, patches, marked patrol cars, or any other item or material which is identifiable to the ESPANOLA Police Department shall not be used on personal employee internet postings without written permission from the Chief of Police or his designee.

C. Employees shall not authorize any other party to use photographs or other depictions of department uniforms, badges, patches, marked patrol cars, or any other item or material which is identifiable to the Espanola Police Department without written permission from the Chief of Police or his designee.

D. Posting the following types of criminal justice information to social networking sites is explicitly prohibited:

1. Confidential, sensitive, or copyrighted information to which you have access due to your employment with the City;
2. Data from criminal or administrative investigations including photographs, videos, or audio recordings;
3. Photographs of suspects, arrestees or evidence;
4. Personal statements about any investigation that is not included in an official police report including;
5. Comments related to pending investigations and/or prosecutions, not limited to the Espanola Department of Public Safety but to include all law enforcement agencies.

DEPARTMENT SANCTIONED PRESENCE ON SOCIAL MEDIA

- A. Where possible, each department created social media page shall include an introductory statement clearly specifying the purpose and scope of the agency's presence on the website.
- B. Where possible, the page(s) should link to the department's official website.
- C. All departments related social media sites or pages shall be approved in writing by the Chief of Police or his designee.
- D. Pages for specific officers, divisions, or programs within the department must be approved in writing by the Chief of Police or his designee. Care must be taken to maintain the integrity of the department's brand online.
- E. Where possible, social media pages shall clearly indicate they are maintained by the department and have department contact information prominently displayed.
- F. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology, record management, department, and City policies.

DEPARTMENT SANCTIONED USE OF SOCIAL MEDIA

- A. Department personnel representing the Department via social media outlets shall:
 - 1. Conduct themselves at all times as representatives of the Department and

adhere to all Department standards of conduct;


- 2. Identify themselves as a member or employee of the department;
- 3. Not make statements about the guilt or innocence of any suspect or arrestee, or comments concerning pending prosecution, nor post, transmit, or otherwise disseminate confidential information;
- 4. Not conduct political activities or private business;
- 5. Observe and abide by all copyright, trademark, and service mark restrictions in posting materials to electronic media.


B. USES

- 1. Social media is a valuable investigative tool when seeking evidence or information and/or disseminating information about:
 - a. Missing persons;
 - b. Wanted persons;
 - c. Gang participation;
 - d. General crime information;
 - e. Photos or video of a crime where the department needs the media's assistance, as approved by supervisory personnel.
- 2. Social media can be used for community outreach and engagement by:
 - a. Providing crime prevention tips;
 - b. Offering online-reporting opportunities;
 - c. Sharing crime maps and data;
 - d. Soliciting tips about unsolved crimes.


3. Social media can be used to make time sensitive notifications related to:
 - a. Road closures;
 - b. Special events;
 - c. Weather emergencies;
 - d. Missing or endangered persons;
 - e. Accidents and or crime scenes where the public may be affected.
4. Social Media may be used for:
 - a. Recruiting;
 - b. Advertising employment positions;
 - c. Publicizing volunteer positions;
 - d. Offering training opportunities.

APPROVED BY: MIGUEL MAEZ, DEPUTY CHIEF, SAMMY MARQUEZ, AFSCME LOCAL 923 PRESIDENT,


Miguel Macz, Deputy Chief

 LOCAL 923
Sammy Marquez, Union President

ADOPTED AND APPROVED by the Governing Body of the City of Española this 25th day of August 2015.


The Honorable Alice Alarid Lucero
Mayor, City of Española

ATTEST:


Anna Squires, City Clerk

